

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

TWIN CITY FIRE INSURANCE  
COMPANY,

Plaintiff,

Case No. 22-769

v.

AXIS INSURANCE COMPANY,

Defendant.

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**DECLARATION OF JOSH LEVY**

I, Josh Levy, declare pursuant to 28 U.S.C. § 1746, as follows:

1. My name is Josh Levy. I am over the age of 21 and competent to testify. I am currently a partner at the law firm of Kennedys CMK LLP. I represent Defendant, AXIS Insurance Company (“AXIS”) in this lawsuit filed by Plaintiff, Twin City Fire Insurance Company (“Hartford”). I have personal knowledge of the following matters, and if called as a witness, could and would testify competently to such facts under oath.

2. This Declaration is being submitted for purposes of the Court’s adjudication of AXIS’ Motion for Partial Summary Judgment (“Motion”).

3. Attached as Exhibit 1 to the Motion is a true and correct copy of complaints filed in the lawsuit styled *Wayne Padmore vs. Atlas West End Silver Hill LLC et al.*, in the Circuit Court for Prince George’s County, Maryland, Case No. CAL20-14812 (“*Padmore* Lawsuit”), which is a public court document and record which the Court may also take judicial notice.

4. Attached as Exhibit 2 to the Motion is a true and correct copy of the Property Management Agreement dated March 1, 2016 between Atlas West End Silver Hill LLC and Gates Hudson & Associates, which was produced in discovery during this action.

5. Attached as Exhibit 3 to the Motion is a true and correct copy of the Commercial General Liability insurance policy issued by AXIS to Atlas Real Estate Partners, LLC for the policy period of July 10, 2018 to July 10, 2019, which was produced in discovery during this action.

6. Attached as Exhibit 4 to the Motion is a true and correct copy of a Special Multi-Flex Policy issued by Hartford to Gates Hudson, policy number 20 UUN IB5054, effective January 1, 2019 to January 1, 2020, which was produced in discovery during this action.

7. Attached as Exhibit 5 to the Motion is a true and correct copy of the January 7, 2022 letter and attachments from Hartford's counsel to AXIS, which was produced in discovery during this action.

8. Attached as Exhibit 6 to the Motion is a true and correct copy of the January 12, 2022 letter from AXIS to Hartford's counsel, which was produced in discovery during this action.

9. Attached as Exhibit 7 to the Motion are true and correct copies of emails dated between January 11, 2022 and March 3, 2022, including communications between AXIS' counsel and Hartford's counsel, which were produced in discovery during this action.

10. Attached as Exhibit 8 to the Motion is a true and correct copy of the complaint filed in the lawsuit styled *Twin City Fire Insurance Company et al. v. Gates Hudson & Associates, Inc. et al.*, in the United States District Court for the District of Maryland, Case No. 22-93, which is a public court document and record which the Court may also take judicial notice.

11. Attached as Exhibit 9 to the Motion is a true and correct copy of AXIS' responses to Hartford's First Set of Interrogatories, which were produced in discovery during this action.

I declare, pursuant to 28 U.S.C. § 1746, that the foregoing statements are true and correct.

Executed on February 14, 2024.

A handwritten signature in black ink, appearing to be 'J. Levy', written over a horizontal line.

Josh Levy